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APPENDICES

I. INTRODUCTION AND PURPOSE

This Initial Study of environmental impacts is being prepared to conform to the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations Section 15000 *et.seq.*), and the regulations and policies of the City of San José.

This Initial Study evaluates the potential environmental impacts that might reasonably be anticipated from the proposed General Plan Amendment on a 6.2-acre site located on the southeast corner of Senter Road and Needles Drive in central San José.

II. PROJECT INFORMATION

A. PROJECT TITLE

DiNapoli Property/Senter Road General Plan Amendment

B. PROJECT LOCATION

The project site is located east of Senter Road and south of Needles Drive in central San José (see Figures 1-3).

C. LEAD AGENCY CONTACT

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City of San José
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, CA 95110
(408) 277-8754

D. PROPERTY OWNER AND APPLICANT'S NAME AND ADDRESS

Property Owner
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San José, CA 95113

Applicant
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900 E. Hamilton Ave., Suite 100
Campbell, CA 95008
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E. ASSESSOR'S PARCEL NUMBERS

477-20-133, 477-20-147, 477-20-148

F. GENERAL PLAN DESIGNATION AND ZONING DISTRICT

General Plan Designation: Industrial Park with a Mixed Industrial Overlay

Zoning District: Industrial Park

Figure 1: Regional Map

Figure 2: Vicinity Map

Figure 3: Aerial

III. PROJECT DESCRIPTION

The proposed project is a General Plan Amendment on a 6.2-acre, site located on the southeast corner of Senter Road and Needles Drive in central San José. Approximately five acres of the site is developed with two, one-story industrial/office buildings used as offices for the Santa Clara County Department of Social Services. The remaining 1.2-acres of the eastern portion of the site are vacant and have been recently disked.

The General Plan Amendment would change the land use designation on the site from *Industrial Park with a Mixed Industrial Overlay* to *High Density Residential (25-50 dwelling units per acre)*. The proposed land use designation would allow for the construction of up to 310 units[1] on the site (see Figures 4 and 5).

While the proposed General Plan Amendment would not allow specific new development, the high density residential land use designation typically results in the construction of three to four-story apartments or condominiums over parking. This land use designation is primarily planned near the Downtown Core Area, near commercial centers with ready access to freeways and/or expressways, and near public transit. This designation allows incidental convenience commercial uses integrated into the ground floors of residential buildings on a case-by-case basis, through a Planned Development (PD) zoning.

[1] As described in the San José 2020 General Plan, the densities or intensities of development allowed by the various land use categories are based on net acreage. The maximum number of dwelling units identified above was calculated using the "gross" or total area of the site. At the time of future development, the installation of landscaping, sidewalks, and streets would reduce the area of the site used to calculate the allowed number of dwelling units on the site. Implementation of the proposed General Plan Amendment, therefore, would likely result in fewer than 310 units on the site.

Figure 4: Existing Land Use Designation

Figure 5: Proposed Land Use Designations

IV. CONSISTENCY WITH ZONING, PLANS, AND OTHER APPLICABLE LAND USE CONTROLS

A. LOCAL PLANS

1. Zoning Designation

The project site is zoned *IP: Industrial Park*. Land uses allowed in the *IP: Industrial Park* designation include industrial uses such as manufacturing and assembly, research and development, industrial services, laboratory, and business and administrative offices. The Industrial Park zoning designation is an exclusive designation intended for a wide variety of industrial users such as research and development, manufacturing, assembly, testing, and offices. Since the project site is located within an area with a Mixed Industrial Use Overlay General Plan designation, a broader range of uses, both free standing and in combination with others, would be considered including uses such as retail, church/religious assembly, social and community centers, recreational uses, or similar uses but only when the non-industrial use does not result in the imposition of additional constraints on neighboring industrial users in the exclusively industrial areas.

Consistency: The project would require a rezoning in order to construct high density residential uses on the site. Therefore, the project would be consistent with the future zoning designation on the site.

2. 2020 GENERAL PLAN

The San José 2020 General Plan is an adopted statement of goals and policies for the future character and quality of development of the community. All major strategies are designed to reinforce and support each other for internal consistency. A summary of the major strategies and goals and policies that apply to the proposed General Plan Amendment are presented below.

Land Use/Transportation Diagram

The land use goals in the General Plan are structured to promote efficient and compatible use of land through protection of desirable uses, orderly development and consideration of the community's future needs. Elements of these goals and policies promote higher density residential development at infill locations that are convenient to transit.

The proposed General Plan Amendment would designate the site for high density residential (25-50 dwelling units per acre) development along Senter Road. As stated previously, this designation would allow up to 310, three to four-story apartments or condominiums to be built over parking.

Major Strategies

Economic Development Strategy

The Economic Development Strategy goals and polices are necessitated by an existing local government tax structure base which requires cities to maximize tax revenue from non-residential development to support the services required by residential land uses. Currently, the City of San José provides affordable housing for employment opportunities in other cities and is deficient in terms of job growth. The City's past development pattern has resulted in an inadequate tax base for providing service levels and has contributed to the countywide traffic congestion conditions. The City's

Economic Development Strategy strives to make San José a more "balanced community" by: 1) encouraging more commercial and industrial growth to balance existing residential development; 2) equitably distributing job centers and residential areas; and 3) controlling the timing of development. This concept is generally known as the jobs/housing balance.

Consistency: The proposed re-designation of approximately 6.2 acres from industrial to high density residential uses would reduce the amount of land available for jobs and would contribute to a worsening of San José's existing jobs/housing imbalance. The proposed project, therefore, would not be consistent with the Economic Development Strategy.

Housing Major Strategy

The goals of the City of San José's Housing Strategy include improving San José's existing housing resources, meeting the housing needs of all segments of the community, and providing a variety of housing types within the community for all economic levels. The General Plan states that sound growth should be encouraged in the city by designating suitable vacant or underutilized sites for new residential development. The General Plan Housing Strategy: 1) encourages a variety of housing types, 2) encourages the development of mixed uses, 3) encourages development in Downtown Core Areas, and 4) requires developers of projects with ten or more dwelling units to provide at least 10% of their units at rents or prices that are affordable to low and moderate income households, provided that Redevelopment Agency housing funds are available.

The proposed General Plan Amendment would not significantly change the number of housing units within the city. The proposed project would allow high density residential uses to be constructed on an infill parcel adjacent to a major roadway with bus service and in proximity to existing employment centers.

Consistency: The proposed project is consistent with the Housing Major Strategy, as described in the San José 2020 General Plan.

Sustainable City Strategy

The Sustainable City Major Strategy is a statement of San José's commitment to becoming an environmentally and economically sustainable city. Programs promoted under this strategy include recycling, waste disposal, water conservation, transportation demand management, and energy efficiency. The Sustainable City Strategy is intended to support these efforts by ensuring that development is designed and built in a manner consistent with the efficient use of resources and environmental protection.

Consistency: Future development of the site would be designed to conform to adopted San José 2020 General Plan policies. Compliance with those policies will ensure that the project will be designed to reduce traffic congestion and corresponding air pollution, and environmental degradation.
The proposed project is, therefore, consistent with the Sustainable City Strategy, as described in the San José 2020 General Plan.

Growth Management

The purpose of the Growth Management Major Strategy is to find the delicate balance between the need to house new population and the need to balance the City's budget, while providing acceptable levels of service. The City's strategy for growth management can best be described as the prudent

location of new development to maximize the efficient use of urban facilities and services and, to this end, the General Plan encourages infill development within urbanized areas.

Consistency: Development of the site with residential land uses would provide infill redevelopment within an urbanized area. The project would be consistent with this Growth Management policy, as described in the San José 2020 General Plan.

Goals and Policies

Balanced Community

Policy #1: The City should foster development patterns which will achieve a whole and complete community in San José, particularly with respect to improving the balance between jobs and economic development on one hand, and housing resources and a resident work force on the other. A perfect balance between jobs and housing may not be achievable, but the City should attempt to improve this balance to the greatest extent feasible.

Consistency: The proposed project would convert lands currently developed with industrial/office uses to high density, multi-family residential uses. This proposed change in land use designation would contribute to the housing and jobs imbalance in the City and, therefore, would not be consistent with the Balanced Community Policy #1.

Policy #2: Varied residential densities, housing types, styles, and tenure opportunities should be equitably and appropriately distributed throughout the community and integrated with the transportation system, including roads, bicycle, and pedestrian facilities. Higher densities are encouraged near passenger rail lines and other major transportation facilities to support the use of public transit.

Consistency: The proposed project would allow for the construction of high density residential uses in a primarily industrial area of central San José. The site is located along Senter Road which has sidewalks for pedestrian use and VTA bus service. For these reasons, the proposed project is not inconsistent with Balanced Community Policy #2.

Community Development

Residential Land Use

The Residential Land Use goals and policies are primarily guidelines for the physical development of residential neighborhoods and proximate land uses. They reflect concerns for the protection of neighborhoods from incompatible land uses, the adequacy of public facilities and services, and protection from hazards. The Residential Land Use policies also reflect the City's objective to promote higher density residential development in the future than was typical in the past.

Policy #1: Residential development at urban densities (one dwelling unit per acre or greater) should be located only where adequate services and facilities can be feasibly provided.

Consistency: The proposed project would be consistent with this policy, as the site is an urban infill property located within the Urban Service Area.

Policy #2: Residential neighborhoods should be protected from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment. In

particular, non-residential uses which generate significant amounts of traffic should be located only where they can take primary access from an arterial street.

Consistency: Existing multi-family residential uses are located adjacent to northern boundary and multi-family uses were recently approved for the property at the southern boundary of the project site. The remainder of the surrounding land uses is office/industrial in nature. The construction of residential uses in an area primarily industrial in nature may result in land use incompatibility impacts in the future; however, any residential development proposed for the site would be required to meet the setback requirements of the San José Zoning Ordinance. Therefore, the project is generally consistent with the intent of this policy; however, any residential development proposed for the site would be evaluated with respect to consistency with the Residential Design Guidelines and the San José Zoning Ordinance design requirements.

Policy #3: Higher residential densities should be distributed throughout the community. Locations near commercial and financial centers, employment centers, light rail transit stations and along bus transit routes are preferable for higher density housing. There are a variety of strategies and policies in the General Plan that encourage high density housing and mixed use development in close proximity to existing and planned transit routes. In addition, residential development located within 2,000 feet of a planned or existing rail station should occur at the upper end of the allowed density ranges and should typically be at least 25 dwelling units per acre (du/ac) unless the maximum density allowed by the existing land use designation is less than 25 du/ac.

Consistency: The project is consistent with this policy because it proposes to allow additional residential units in the project area, which is located in an employment center along bus routes.

Policy #5: Residential development should be allowed in areas with identified hazards to human habitation only if these hazards are adequately mitigated.

Consistency: As discussed in the Hazardous Materials section of this Initial Study, the project site was used for agricultural purposes prior to the construction of the existing buildings. Additional analysis of the site would occur prior to construction to determine the potential for agricultural chemical residue and asbestos containing materials (within the existing buildings to be demolished) on the site. Mitigation measures, if required, would be identified during preparation of the project specific environmental document.

While the proposed project has not yet been designed, it is anticipated that the project would be oriented so as to minimize potential impacts to nearby land uses and their potential impacts to future residential uses on the site. Therefore, the project is consistent with this policy.

Policy #9: When changes in residential densities are proposed, the City should consider such factors as neighborhood character and identity, compatibility of land uses and impacts on livability, impacts on services and facilities, including schools, to the extent permitted by law, accessibility to transit facilities, and impacts on traffic levels on both neighborhood streets and major thoroughfares.

Consistency: The issues described above are analyzed to the extent appropriate for a General Plan Amendment Initial Study, as required by CEQA and the City of San José. The decision-makers will use the information in this Initial Study when considering future approvals for the project. Therefore, the project is consistent with this Residential Land Use Policy.

Policy #11: Residential developments should be designed to include adequate open spaces in either private yards or common areas to partially meet resident's open space and recreation needs.

Consistency: The proposed project will be required to provide adequate open space according to the requirements of the City's zoning ordinance at the project design stage. In addition, there is an existing tot lot playground located on the east side of Wool Creek Drive near the northeastern corner of the project site. For these reasons, the project is consistent with this Residential Land Use Policy.

Policy #17: The City encourages developers of large residential projects to identify and appropriately address the need generated by these projects for child care facilities and services.

Consistency: The need of the project for child care facilities can be assessed once a specific development is proposed for the project. Therefore, the project is not inconsistent with this policy.

Policy #20: Roads, buildings, and landscaping for new residential projects should be designed and oriented to maximize energy conservation benefits for space heating and cooling to the extent feasible.

Consistency: Once a specific development is proposed for the site, the project would consider designs that maximize energy conservation benefits. Therefore, the project is consistent with this policy.

Policy #24: New residential development should create a pedestrian friendly environment by connecting the features of the development with safe, convenient, accessible, and pleasant pedestrian facilities. Such connections should also be made between the new development, transit access points, and nearby commercial areas.

Consistency: Once a specific development is proposed for the site, the project would consider designs that create pedestrian friendly connections to transit to and nearby commercial areas.

B. REGIONAL PLANS

1. Post-Construction Urban Runoff Management Policy

The City of San José's Post-Construction Urban Runoff Management Policy states that all new development projects proposing 43,560 square feet (one acre) or more of new building rooftop or paved area should include the following: 1) install and maintain post-construction treatment control measures; 2) stencil on-site inlets in conformance with City requirements; and 3) clean on-site inlets a minimum of once per year, prior to the wet season. All post-construction treatment control measures are required by the policy to be installed, operated, and maintained by qualified personnel, and property owners/applicants are required to keep maintenance and inspection records. For projects with suitable landscape areas, the policy also identifies vegetative swales or biofilters as the preferred treatment control measures.

Consistency: The proposed project would be subject to the provisions of the Post-Construction Urban Runoff Management Policy once a specific development is proposed for the project. Final project design including runoff controls will be determined in consultation with the City's Public Works Department at the development stage of the project. Therefore, the project would be consistent with the Post-Construction Urban Runoff Management Policy.

2. Clean Air Plans

The Bay Area Air Quality Management District (BAAQMD) has adopted a "Clean Air Plan" that provides a blueprint for improving the Bay Area's air quality to meet the requirements of the Federal and California Clean Air Acts. Among these plans are the Revised Ozone Attainment Plan (2001) and the current Clean Air Plan (2000 CAP). These documents contain goals and policies aimed at the reduction of criteria pollutants such as carbon monoxide, hydrocarbons, and oxides of nitrogen. Examples of such goals and policies include controls on stationary sources of emissions and a reduction in the use of motor vehicles.

The consistency of the proposed project with this regional plan is primarily a question of the consistency with the population/employment assumptions utilized in developing the Plan. The 2000 CAP was based on the City's General Plan in effect at the time the CAP was approved.

Consistency: The proposed project is the conversion of lands intended for industrial development with residential development. This conversion would result in the construction of 310 units and a corresponding population increase of approximately 1,008 residents that are not reflected in the General Plan (at a generation rate of 3.25 persons per household). To the extent that growth projections in the Clean Air Plan are based on the existing General Plan buildout and that the project proposes to increase the number of dwelling units in the General Plan buildout assumption, this project is not consistent with the 2000 CAP. The 2000 CAP will need to be amended for the proposed project to be consistent.

3. Santa Clara Valley Urban Runoff Pollution Prevention Program

The Santa Clara Valley Urban Runoff Pollution Prevention Program, previously called the Santa Clara Valley Non-point Source Program, was developed in accordance with the requirements of the 1986 San Francisco Bay Basin Water Quality Control Plan, for the purpose of reducing water pollution associated with urban stormwater runoff. This program was also designed to fulfill the requirements of Section 304(1) of the Federal Clean Water Act, which mandated that the EPA develop National Pollutant Discharge Elimination System (NPDES) Permit application requirements for various stormwater discharges, including those from municipal storm drain systems and construction sites.

The State Water Resources Control Board implements the NPDES general construction permit for the Santa Clara Valley. For properties of one acre or greater, a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared prior to commencement of construction.

Consistency: Development of the site will require implementation of erosion control and stormwater management practices during project construction in accordance with the Santa Clara Valley Urban Runoff Pollution Prevention Program and NPDES permit requirements. Therefore, the project will be required to be consistent with these policies once specific development is proposed for the site.

4. Santa Clara County Congestion Management Program

The Santa Clara Valley Transportation Authority (VTA) oversees the Santa Clara County Congestion Management Program (CMP), last updated in May 1998. The relevant State legislation requires that all urbanized counties in California prepare a CMP in order to obtain each county's share of the increased gas tax revenues. The CMP legislation requires that each CMP contain five mandatory elements: 1) a system definition and traffic level of service (LOS) standard element; 2) a transit

service and standards element; 3) a transportation demand management and trip reduction element; 4) a land use impact analysis element; and 5) a capital improvement element. Santa Clara County's CMP includes the five mandated elements and three additional elements, including a countywide transportation model and data base element, an annual monitoring and conformance element, and a deficiency plan element.

Consistency: The proposed General Plan Amendment will increase residential densities along a major roadway that is served by public transportation. This is consistent with the CMP.

V. ENVIRONMENTAL SETTING & CHECKLIST

This section of the Initial Study describes the existing environmental conditions on and near the subject site, as well as environmental impacts associated with the proposed project. The environmental checklist, as recommended in the California Environmental Quality Act (CEQA) Guidelines, was used to identify environmental impacts that could occur if the proposed project is implemented. The right-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of the checklist. This section identifies the impacts which might result from the proposed project, explains the answers to checklist questions, and addresses mitigation measures that are proposed to reduce or avoid significant impacts.

A. AESTHETICS

1. Setting

The existing visual and aesthetic character of the site is that of a primarily developed site with two, one-story office/industrial buildings, surrounded by parking and landscaping. Trees are located throughout the interior and perimeter landscaped areas of the developed portion of the site. There are no trees located on the vacant portion of the site, which has been recently disked (see Figure 3).

The developed portion of the project site is visible from Senter Road, Needles Drive, and Wool Creek Drive, while the vacant portion is only visible from Needles Drive and Wool Creek Drive. Coyote Creek is located approximately 110 feet to the east of the site, across Wool Creek Drive. The project site and typical land uses on the opposite side of Senter Road and Needles Drive are shown in the photos on the following pages.

2. Environmental Checklist and Discussion

AESTHETICS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐	☐	1,2
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐	☐	1,2
3) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	☐	1
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐	☐	1

Photos 1 and 2

Photos 3 and 4

Photos 5 and 6

Discussion: The proposed change in the General Plan land use designation would allow the site to be developed with high density residential rather than industrial/office uses. High density residential uses are located to the north of the project site and have been recently approved for the property located immediately to the south of the project site. Future development allowed under the proposed General Plan Amendment would be similar in density, mass, and scale with existing and planned residential development along Senter Road. It is assumed that development would occur consistent with the design and landscaping standards in the City's adopted "Residential Design Guidelines."

Since development plans are not yet available, it is not known how many of the mature trees would be removed as a result of construction, but it is expected that some of the perimeter trees could be retained. There is also a potential that some existing trees located within the interior areas could be transplanted elsewhere on the site, especially since many of these trees are fairly small and were recently planted.

Future development under the proposed General Plan Amendment may introduce additional lighting onto the site. Street lights, buildings, and security lighting are already present along Senter Road. New lighting required by future development of the site would conform to City of San José lighting standards, would be oriented away from the riparian corridor along Coyote Creek to the east of the site, and would represent an incremental increase in lighting in the area.

The project site is currently developed and located within an urban area. There are no scenic vistas or scenic resources along a designated scenic highway that would be affected by this project.

3. Conclusion

The proposed General Plan Amendment would not result in significant aesthetic impacts within the project area. **(Less than Significant Impact)**

B. AGRICULTURAL RESOURCES

1. Setting

The project site is not designated by the California Resources Agency as farmland of any type and is not the subject of a Williamson Act contract. The eastern portion of the site, along Wool Creek Drive, is currently vacant. The properties to the south and east of the site have been used for agricultural purposes in the past; however, the property to the south has been recently approved for residential uses. The property to the east (across Coyote Creek) is primarily used for the boarding of horses; however, this property is designated in the General Plan for park uses as part of Coyote Creek/Kelley Park.

2. Environmental Checklist and Discussion

AGRICULTURAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	☐	5
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	☐	2,3
3) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒	☐	1

Discussion: The project site is located within an intensely developed urban area of San José. Adoption of the proposed General Plan Amendment would not result in the conversion of farmland to a non-agricultural use.

3. Conclusion

The proposed General Plan Amendment would not have any impact on agricultural land or agricultural activities. **(No Impact)**

C. AIR QUALITY

1. Setting

Air quality and the amount of a given pollutant in the atmosphere are determined by the amount of pollutant released and the atmosphere's ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain and for photochemical pollutants, sunlight.

The Bay Area typically has moderate ventilation, frequent inversions that restrict vertical dilution and terrain that restricts horizontal dilution. These factors give the Bay Area a relatively high atmospheric potential for pollution.

The Bay Area Air Quality Management District (BAAQMD) monitors air quality at several locations within the San Francisco Bay Air Basin. The closest monitoring station to the project site was located in San José, on Fourth Street, but was relocated in 2002 to the San José Central location (East Jackson Street). Exceedances of state and federal standards at the Fourth Street and San José Central monitoring sites during the 2000-2002 period were due to ozone and PM_{10} levels above the state standard.

The pollutants known to at times exceed the state and federal standards in the project area are regional pollutants. Both ozone and PM_{10} are considered regional pollutants in that concentrations are not determined by proximity to individual sources, but show a relative uniformity over a region.

The Federal Clean Air Act and the California Clean Air Act require that the State Air Resources Board, based on air quality monitoring data, designate portions of the state where the federal or state ambient air quality standard are not met as "nonattainment areas." Because of the differences between the national and state data standards, the designation of nonattainment areas is different under the federal and state legislation. Under the California Clean Air Plan (2000), Santa Clara County is classified as a nonattainment area for ozone and PM_{10}. The county is either in attainment or unclassified for other pollutants.

2. Environmental Checklist and Discussion

AIR QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐	☐	
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	☐	

AIR QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☒	☐	☐	
4) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒	☐	
5) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	☐	

Discussion: The following criteria must be satisfied for a local plan, including a General Plan to be determined to be consistent with the most current Clean Air Plan (CAP) and to, therefore, not have a significant air quality impact:

- The local plan should be consistent with the CAP population and Vehicle Miles Traveled (VMT) assumptions. This is demonstrated if the population growth over the planning period will not exceed the values included in the current CAP and the rate of increase in VMT for the jurisdiction is equal to or lower than the rate of increase in population; and
- The local plan demonstrates reasonable efforts to implement the Transportation Control Measures (TCMs) included in the CAP that identifies cities as implementing agencies.

Air pollution emissions are a function of population and human activity. If growth in population is greater than assumed in the CAP emission inventory, then population-based emissions also are likely to be greater than assumed in the CAP and attainment of the State air quality standards could be delayed.

The project proposes to change the General Plan land use designation on the site from *Industrial Park* to *High Density Residential (25-50 dwelling units per acre*), which would result in an increase in the number of housing units allowed under build-out of the General Plan and, thus, an increase in population. The assumed build-out of the General Plan, however, is based on an average of the General Plan designations and some residential projects are developed at the high end and some are developed at the low end of the density potential. The proposed land use designation would allow the construction of between 155 and 310 residential units on the site. Assuming an average household size of 3.25 persons in 2005, the potential increase in population resulting from maximum build-out of the proposed project is approximately 1,008 persons.[2] The 2000 CAP is based upon Projections '98,

[2] *Projections '98* estimates 3.25 persons per household in the City of San José in the year 2005 while *Projections 2002* estimates 3.19 persons per household. For the purposes of this analysis, the higher number was used.

prepared by the Association of Bay Area Governments (ABAG), which estimated that the population within the City of San José's sphere of influence would be approximately 1,014,800 in 2005. The rate of population growth in the City of San José has slowed somewhat in the last two to three years. Projections 2003 revised that projection for the total population of San José to 1,006,000, approximately 8,800 persons less than in Projections '98.

Although the CAP was based on a higher population than current projections, the City has approved other General Plan Amendments that converted industrial lands to residential uses since the CAP was last updated. Therefore, while an additional 1,008 residents may not be considered a significant increase in population in a city of close to a million residents, when considered cumulatively, this impact could be a substantial technical inconsistency. It should be noted that the BAAQMD is currently updating the CAP, which should be available by the end of the year (2004). It is expected that the updated CAP will reflect the latest ABAG projections and General Plan Amendments that have been approved in the City.

Determining consistency of local plans with the CAP also involves assessing whether CAP transportation control measures (TCMs) for which local governments are implementing agencies, are indeed being implemented. The CAP identifies implementing agencies/entities for each of the TCMs included in the Plan. Cities and counties are identified among the implementing agencies for some of the TCMs, which are listed in Table 1, below.

The proposed General Plan Amendment cannot, individually, implement all of the listed TCMs, but the City's General Plan does include all those that are consistent with a City's responsibility. Virtually all of these measures are already reflected in existing General Plan policies, which are the basis of mitigation for all land use impacts in San José. Therefore, City of San José's General Plan is consistent with the regional air quality plan.

Table 1: CAP Transportation Control Measures to be Implemented by Cities

Transportation Control Measure	Description
1. Expand Employee Assistance Program	▪ Provide assistance to regional and local ride sharing organizations.
9. Improve Bicycle Access and Facilities	▪ Establish and maintain bicycle advisory committees in all nine Bay Area Counties. ▪ Develop comprehensive bicycle plans. ▪ Encourage employers and developers to provide bicycle access and facilities. ▪ Improve and expand bicycle lane system.
12. Improve Arterial Traffic Management	▪ Continue ongoing local signal timing programs. ▪ Study signal preemption for buses on arterials with high volume of bus traffic. ▪ Expand signal timing programs. ▪ Improve arterials for bus operations and to encourage bicycling.
15. Local Clean Air Plans, Policies and Programs	▪ Incorporate air quality beneficial policies and programs into local planning and development activities, with a particular focus on subdivision, zoning and site design measures that reduce the number and length of single-occupant automobile trips.

17. Conduct Demonstration Projects	▪ Promote demonstration projects to develop new strategies to reduce motor vehicle emissions. ▪ Projects include low emission vehicle fleets and LEV refueling infrastructure.
19. Pedestrian Travel	▪ Review/revise general/specific plan policies to promote development patterns that encourage walking and circulation policies that emphasize pedestrian travel and modify zoning ordinances to include pedestrian-friendly design standards. ▪ Include pedestrian improvements in capital improvement programs. ▪ Designate a staff person as a Pedestrian Program Manager.
20. Promote Traffic Calming Measures	▪ Include traffic calming strategies in the transportation and land use elements of general and specific plans. ▪ Include traffic calming strategies in capital improvement programs.

Impacts:

Long-Term Air Quality Impacts

While the project would result in a technical inconsistency with the 2000 CAP, it is considered to be urban infill development, adjacent to transit opportunities, including a bus stop. The proposed project would serve to reduce Vehicle Miles Traveled (VMT) and corresponding Vehicle Hours Traveled (VHT) in two ways: 1) by allowing the construction of housing within a job-intensive area of the City, thereby facilitating the internalization of trips within the central San José area; and 2) by shortening trips to and from the job-rich areas to the north of the site, that may otherwise travel to and from areas further to the south. Developing residential uses on an infill site is preferable to development in outlying areas which furthers suburban sprawl.

The development of residential uses in proximity to existing and planned industrial development is specifically consistent with CAP goals and policies to reduce commute travel time and distances. Since the in-commute of vehicles traveling to jobs in Santa Clara County from residences in distant locations contributes to the regional air quality problems, placing dwelling units near existing and planned jobs will be expected to result in incremental benefits to regional air quality. Although there is no assurance that the residents on this site will move here from more distant locations, providing the opportunity for them to do so is consistent with CAP policies.

As previously described, the City of San José's 2020 General Plan includes policies that are consistent with the TCMs included in the CAP. Finally, the construction of up to 310 residential units would not require the preparation of a project-specific air quality impact assessment during the environmental review process for the project-specific development. According to the BAAQMD thresholds, a project that generates more than 80 pounds per day of reactive organic gases (ROGs) is considered to have a potentially significant impact on regional air quality. This is equivalent to a 510-unit multi-family residential project. Therefore, a development of this size is not considered to result in a significant project level air quality impact. For the reasons described above, the proposed project would not result in a significant air quality impact.

Air Quality Impacts During Construction

Construction activities such as demolition, excavation, construction vehicle traffic and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that would affect local and regional air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-waterbase paints, thinners, some insulating and caulking materials would evaporate into the atmosphere and would participate in the photochemical reaction that creates urban ozone.

Construction dust could affect local air quality at various times during construction of the project. The dry, windy climate of the area during the summer months creates a high potential for dust generation when and if underlying soils are exposed to the atmosphere. Construction activities related to the development allowed under the proposed General Plan change could result in significant short-term air quality impacts.

Mitigation and Avoidance: Implementation of the following General Plan Policies and Programmed Mitigation Measures[3] would reduce potential air quality impacts of the proposed project to a less than significant level:

- *Transportation Policy #8* states that vehicular, bicycle, and pedestrian safety should be an important factor in the design of streets and roadways.

- *Transportation Policy #21* states that all non-rural portions of San José should have a continuous sidewalk network. Existing deficiencies in the City's sidewalks should be addressed through the Capital Improvement Program or other funding mechanisms.

- *Transportation Policy #51* states that bike lanes are considered generally appropriate on arterial and major collector streets. Right-of-way requirements for bike lanes should be considered in conjunction with planning the major thoroughfares network and in implementing street improvement projects.

- *Transportation Policy #55* states that bicycle safety should be taken into consideration when implementing improvements for automobile traffic operations.

- *Air Quality Policy #1* states the City should take into consideration the cumulative air quality impacts from proposed development and should establish and enforce appropriate land uses and regulations to reduce air pollution consistent with the region's Clean Air Plan and State law.

- *Air Quality Policy #6* states that the City should continue to enforce its ozone-depleting compound ordinance and supporting policy to ban the use of chlorofluorocarbon compounds (CFCs) in building construction.

[3] "Programmed Mitigation Measures" are ordinances, laws, or adopted policies that would typically be implemented at the time of future development.

The following Programmed Mitigation Measures would reduce potential short-term air quality impacts to a less than significant level:

Programmed Mitigation Measures

- Any future development under the proposed General Plan designation will be subject to the City's grading ordinance and the BAAQMD dust control measures:

- All earth moving activities will include provisions to control fugitive dust, including regular watering of the ground surface, cleaning nearby streets, damp sweeping, and planting any areas left vacant for extensive periods of time.

- All trucks hauling soil, sand, and other loose materials will be covered for transport or required to maintain at least two feet of freeboard.

- All demolition activities will be undertaken according to Cal/OSHA and EPA standards to protect workers and off-site occupants from exposure to hazardous materials.

3. Conclusion

Implementation of the above described General Plan Policies and Programmed Mitigation Measures would reduce air quality impacts to a less than significant level. **(Less than Significant Impact with Mitigation)**

D. BIOLOGICAL RESOURCES

1. Setting

Approximately five acres of the 6.2-acre site is developed with industrial/office uses, while the remaining 1.2-acres are vacant. Therefore, the project site supports vegetation characteristic of landscaped and ruderal (weedy) habitats. The landscaped areas include trees with some shrubs and grass, while the vacant portion of the site has been recently disked and is devoid of any vegetation.

The trees on site are landscape species including liquid amber, London plane, pines, flowering plum, mulberry, and raywood ash. Most of the trees on the project site appear to have been planted within the past five years or so and none have reached ordinance-size, as defined by the City of San José's Tree Ordinance.

Wildlife species expected to be present on the site are mostly common, urban adapted species. Wildlife observed on the site included California ground squirrel, Northern mockingbird, mourning dove, robin, and American crow. Feral cats were observed on the vacant, eastern portion of the site.

Based upon the habitats found on the site and the level of disturbance by humans and domestic animals, no special plant or animal status-species are expected to be present on the site. The vacant 1.2-acre portion of the site has been disked and feral cats were observed during a field survey. For these reasons, this small area is not considered to be suitable nesting or foraging habitat for Burrowing Owls.

2. Environmental Checklist and Discussion

BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐	☐	1
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	☐	1

BIOLOGICAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	☐	1
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☐	☒	☐	☐	1
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	☐	1
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	☐	1

Discussion: There are a significant number of trees that are not ordinance-sized on the project site within internal landscaped areas and along the perimeter of the site. None of the trees are native oaks. While it is expected that some of the trees could be retained or transplanted on-site once specific development is proposed, the number of trees to be removed could be significant.

Impact: The loss of healthy trees on the site could be a significant impact.

Mitigation and Avoidance: General Plan Policies and Programmed Mitigation Measures described below will reduce potential impacts associated with the loss of trees to a less than significant level.

- *Urban Forest Policy # 2* states development projects should include the preservation of ordinance-sized and other significant trees. Any adverse effect on the health and longevity of native oaks, ordinance-sized or other significant trees should be avoided through appropriate design measures and construction practices. When tree

preservation is not feasible; the project should include appropriate tree replacement. In support of these policies the City should:

- Continue to implement the Heritage Tree Program and the Tree Removal Ordinance.
- Consider the adoption of Tree Protection Standards and Tree Removal Mitigation Guidelines.

- *Urban Forest Policy #3* states the City should encourage the maintenance of mature trees on public and private property as an integral part of the urban forest. Prior to allowing the removal of any mature tree, all reasonable measures which can effectively preserve the tree should be pursued.

- *Urban Forest Policy #4* states that in order to realize the goal of providing street trees along all residential streets, the City should:

  - Continue to update, as necessary, the master plan for street trees which identifies approved species.
  - Require the planting and maintenance of street trees as a condition of development.
  - Continue the program for management and conservation of street trees which catalogs street tree stock replacement and rejuvenation.

- *Urban Forest Policy #5* states that the City should encourage the selection of trees appropriate for a particular urban site. Tree placement should consider energy saving values, nearby power lines, and root characteristics.

- *Urban Forest Policy #6* states that trees used for new plantings in urban areas should be selected primarily from species with low water requirements.

- *Urban Forest Policy #7* states that, where appropriate, trees that benefit urban wildlife species by providing food or cover should be incorporated in urban plantings.

Programmed Mitigation Measures

At the time of future development, the project will provide for replacement of removed trees in accordance with City of San José Tree Removal Controls (San José Municipal Code Title 13 Chapter 13.32). Trees removed with a valid tree removal permit shall be replaced in accordance with the terms of the permit and trees to remain on the site will be protected from damage during construction. Some tree species may be conducive to transplanting, which will be considered during project specific design.

3. Conclusion

Implementation of the General Plan Policies and Programmed Mitigation Measures described above will reduce the impacts to trees to a less than significant level. **(Less than Significant Impact with Mitigation)**

E. CULTURAL RESOURCES

The following discussion is based upon cultural resources reports prepared by *Holman & Associates* in June 2002 and March 2004 for the property adjacent to the southern boundary of the project site. These reports contained a records search that included the proposed project site; therefore, they were also used for the preparation of this Initial Study. The reports are on file at the City of San José Planning Department, 801 N. First Street, Room 400, San José.

1. Setting

Prehistoric and Historic Resources

An archaeological literature review was completed at the Northwest Information Center located at Sonoma State University. Two recorded archaeological sites were recorded in the vicinity of the project site; one on the east side of Coyote Creek and one to the south of the site. It was determined that the recorded site to the south could extend onto the property adjacent to the southern boundary of the site. Subsurface trenching was conducted on this property, during which, archaeological evidence of Native American habitation was not encountered.

The buildings on the project site were constructed in 1988 and 1991 and are not considered to be historic.

2. Environmental Checklist and Discussion

CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	☐	☐	☐	☒	☐	
2) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	☒	☐	☐	☐	
3) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☐	☒	☐	
4) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	☐	

Discussion: As previously described, there is a low potential for cultural resources to be encountered on the project site during construction activities.

Impact: Although unlikely, there is always a possibility that deeply buried subsurface cultural resources could be discovered during grading and excavation operations associated with the project. Disturbance of buried cultural resources would be a significant impact.

Mitigation and Avoidance: The project will be subject to the following General Plan Policies and Programmed Mitigation Measures to reduce potential archaeological impacts to a less than significant level:

- *Historic, Archaeological, and Cultural Resources Policy #1* states that because historically or archaeologically significant sites, structures and districts are irreplaceable resources, their preservation should be a key consideration in the development review process.

- *Historic, Archaeological and Cultural Resources Policy #8* states that for proposed development, sites which have been identified as archaeologically sensitive, the City should require an investigation during the planning process in order to determine whether valuable archaeological remains may be affected by the project and should also require that appropriate mitigation measures be incorporated into the project design.

- *Historic, Archaeological and Cultural Resources Policy #9* states that recognizing that native American burials may be encountered at unexpected locations, the City should impose a requirement on all development permits and tentative subdivision maps that, upon discovery of such burials during construction, development activity will cease until professional archaeological examination and reburial in an appropriate manner is accomplished.

Programmed Mitigation Measures

- In the case of an inadvertent discovery of archaeological materials, all construction operations would be stopped within ten feet of any find and a qualified archaeologist retained to review and evaluate the cultural materials and develop further recommendations.

- If any cultural materials determined to be eligible for either the National Register or California Register are exposed or discovered during either site preparation or subsurface construction activities, operations would stop within 25 feet of the find and a qualified professional archaeologist contacted for evaluation and further recommendations. Potential recommendations could include evaluation, collection, recordation, analysis, etc. of any significant cultural materials, followed by a professional report.

- Treatment of any Native American burials exposed during construction would be in accordance with the State of California Public Resources Code in consultation with the Native American Heritage Commission.

3. Conclusion

Implementation of the General Plan Policies and Programmed Mitigation Measures described above will reduce potential impacts to cultural resources to a less than significant level. **(Less than Significant Impact with Mitigation)**

F. GEOLOGY AND SOILS

The following discussion is based on the *Geotechnical Investigation for San José, California* (Cooper-Clark, 1974), the *Geologic Map of the San Francisco-San José Quadrangle* (California Department of Conservation, Division of Mines and Geology), and the *Soils of Santa Clara County* (U.S. Department of Agriculture, Soil Conservation Service).

1. Setting

Topography and Soils

The project site is located within the Santa Clara Valley, between the Coast Range on the west and the Diablo Range on the east. The elevation of the 6.2-acre site is approximately 115 feet.

According to the United States Department of Agriculture, the site is compromised of Mocho soils (Mk), Yolo loam soils (YaA), and areas that have been excavated for substratum material (gravel). Soils on the site have moderate shrink-swell behavior and good natural drainage. According to the *Geotechnical Investigation of San José* (1974), the project site has no landslide susceptibility. The eastern portion of the site closest to Coyote Creek has moderately high potential for lateral spreading.

Seismicity and Seismic Hazards

The project is located in the seismically active San Francisco Bay Region. The Uniform Building Code designates the entire South Bay as Seismically Active Zone 4, the most seismically active zone in the United States. The project site is also within a California State Seismic Hazard Zone, as mapped by the Department of Conservation, California Geological Survey (2001). The Seismic Hazards Mapping Act of 1990 directs the California Department of Conservation to delineate seismic hazard zones for the purpose of reducing the threat to public health and safety and to minimize the loss of life and property by identifying and mitigating seismic hazards. Cities, counties, and state agencies are directed to use the seismic hazard zone maps in their land use planning and permitting processes.

The faults in the region are capable of generating earthquakes of at least 7.0 magnitude, therefore, it can be expected that earthquakes could produce very strong ground shaking at the site. The fault nearest the site is the Hayward fault located approximately 5.1 miles northeast of the project site (see Figure 6). Other major faults in the area include the San Andreas fault, located approximately 12.6 miles southwest of the project site and the Calaveras fault, approximately 7.6 miles northeast of the site. There are no known faults running across the site; therefore, ground rupture on the site is unlikely.

The Association of Bay Area Governments (ABAG) reported that the Working Group on California Earthquake Probabilities (1990) has estimated that there is a 67% probability that one or more major damaging earthquakes will occur in the San Francisco Bay Area within the next 30 years.

Liquefaction

Soil liquefaction results from loss of strength during cyclic loading, which can occur during earthquakes. Soils most susceptible to liquefaction are clean, loose, saturated, uniformly

Figure 6 Fault Map

graded fine-grained sands. The subject site is mapped in a zone of potential liquefaction hazard, based on the preliminary Seismic Hazards map of the San José East Quadrangle produced by the California Geologic Survey (2001).

Lateral Spreading

Lateral spreading typically occurs as a form of horizontal displacement of relatively flat-lying alluvial material toward an open or "free" face such as an open body of water, channel, or excavation. In soils, this movement is generally due to failure along a weak plane and may often be associated with liquefaction. As cracks develop within the weakened material, blocks of soil displace laterally towards the open face. The potential for lateral spreading on the site is moderately high.

2. Environmental Checklist and Discussion

GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:						
a) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (See Division of Mines and Geology Special Publication 42.)	☐	☐	☒	☐	☐	1,2,7,8
b) Strong seismic ground shaking?	☐	☒	☐	☐	☐	1,2,7,8
c) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐	☐	7,8
d) Landslides?	☐	☐	☐	☒	☐	8
2) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	☐	1
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐	☐	7,8
4) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐	☐	7,8

GEOLOGY AND SOILS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	☐	1

Impact: The project site is located in a region subject to strong seismic ground shaking, which can adversely affect structures and expose people to safety hazards; however, there is no danger from fault rupture on the site. The potential for liquefaction on the site is high and the potential for lateral spreading on the site is moderately high. Therefore, ground failure during a seismic event could impact future development on the project site.

Mitigation and Avoidance: Conformance with the following General Plan Policies and Programmed Mitigation Measures during project design and development would reduce potential soils and geology impacts to a less than significant level:

- *Earthquake Policy #1* states that the City should require that all new buildings be designed and constructed to resist stresses produced by earthquakes.

- *Earthquake Policy #3* states that the City should only approve new development in areas of identified seismic hazard if such hazard can be appropriately mitigated.

- *Earthquake Policy #5* states that the City should continue to require geotechnical studies for development proposals; such studies should determine the actual extent of seismic hazards, optimum location for structures, the advisability of special structural requirements, and the feasibility and desirability of a proposed facility in a specified location.

- *Soils and Geology Conditions Policy #1* states that the City should require soils and geologic review of development proposals to assess such hazards as potential seismic hazards, surface ruptures, liquefaction, landsliding, mudsliding, erosion and sedimentation in order to determine if these hazards can be adequately mitigated.

- *Soils and Geologic Conditions Policy #6* states that development in areas subject to soils and geologic hazards should incorporate adequate mitigation measures.

- *Soils and Geologic Conditions Policy #8* states that development within areas of potential geologic hazards should not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties.

Programmed Mitigation Measures

The following mitigation measures would be incorporated into future residential projects as part of the project design:

- Seismic shaking hazards would be mitigated by implementation of construction practices in accordance with Seismic Zone 4 building criteria as described in the Uniform Building Code.

3. Conclusion

Conformance with General Plan Policies and Programmed Mitigation Measures will reduce geologic and seismic hazards present on the site to a less than significant level through the use of standard engineering and seismic safety design techniques. **(Less than Significant Impact with Mitigation)**

G. HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based upon a Phase I Environmental Site Assessment prepared by AEI Consultants in August of 2004. The text of this assessment is provided in Appendix A of this Initial Study. During preparation of the Phase I assessment, the site was surveyed for the purpose of identifying potential practices or unauthorized land uses that might contribute to hazardous conditions on the site.

1. Setting

The project site is located in an area of industrial/office and residential uses. The project site was formerly used as a walnut orchard, with one or two residential buildings and farm structures present until the site was cleared in 1981. Currently, two one-story industrial/office buildings are present on the site; 1870 Senter Road, built on the northern portion of the site in 1988, and 1888 Senter Road, built on the southern portion of the site in 1991. Approximately 1.2 acres of the eastern portion of the site are vacant.

Groundwater monitoring and soil testing for hazardous materials was completed prior to the development of the 1870 Senter Road site in 1988. Soil samples were taken from borings at four locations on the site that were thought to have a high likelihood of containing residual agricultural chemicals. No residual pesticides, VOCs or PCBs were detected at or above laboratory limits.

Four groundwater monitoring wells were drilled at the corners of the 1870 Senter Road property to verify the absence of residual agricultural chemicals, as well as to detect any possible contamination from the Lorentz Barrel and Drum hazardous materials spill site, 0.5 miles to the northwest. No residual pesticides, VOCs or PCBs were detected in the groundwater samples from these wells at or above laboratory reporting limits. Groundwater samples from the wells were also tested for nine metals; of these, arsenic, iron and manganese were detected above laboratory reporting limits. Arsenic levels were below state primary drinking water standards and are not considered a hazard to public health. Iron and manganese levels were in excess of secondary standards, and could possibly impact water taste, odor and clarity, but are also not considered hazardous to public health.

2. Environmental Checklist and Discussion

HAZARDS AND HAZARDOUS MATERIALS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project: 1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	☐	1

HAZARDS AND HAZARDOUS MATERIALS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐	☐	1
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	☐	1
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐	☐	1,10
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	☐	1,12
6) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	☐	1
7) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐	1
8) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	☐	1

Discussion: As the site was formerly used as an orchard, pesticides were likely applied in accordance with standard agricultural procedures. However, there is no indication of any uncontrolled release of pesticides on the site. There were no underground storage tanks recorded in use or formerly in use on the project site; therefore, no known spills or discharges relating to underground storage tanks have been recorded.

Although the four groundwater monitoring wells were reportedly destroyed in the 1990s, no documentation exists to verify this. The Santa Clara Valley Water District continues to show the four monitoring wells as well as a water production well on their maps of the 1870 Senter Road site. No wells were observed during the site reconnaissance, but if they are uncovered during the construction process, proper closure procedures should be followed to block any potential contaminants from entering the groundwater.

A former "dump site" was reported to have been located on the southeastern portion of the property. No traces of contamination from possible hazardous materials from such a site were detected in the soils analysis, and no potential "dump site" was visible from an investigation of historic aerial photographs. Fill containing construction debris, asphalt, concrete and plastic was apparently excavated before the property was developed in 1988.

A review was conducted of federal and state databases to determine if off-site hazardous materials have been released within one-half mile that may affect site conditions. The subject property was not named during the regulatory database search, although an adjacent property to the west at 1877 Senter Road was identified as a large quantity hazardous waste generator. No violations were recorded for that property.

Seven facilities with documented releases were recorded between one-half and one mile from the site. Additionally, 46 sites within a half mile of the property were listed on the Leaking Underground Storage Tank List, but all of these cases have been remediated and closed. None of these sites are active potential contamination sources in a geological or physiological sense. Therefore, the potential for these sites to affect the project is low.

The site contains buildings which may have been constructed using Asbestos Containing Materials (ACM) and lead-based paint, although asbestos siding and shingles were not discovered during visual inspections. Since the existing structures were built after 1978, the presence of lead-based paint is unlikely.

The nearest school in the area is located approximately 0.38 miles southeast of the project site (George Shirakawa Sr. School). Yerba Buena High School is also located approximately 0.42 miles to the northeast of the project site. The proposed project would not emit hazardous substances that might affect these schools.

Impact: Since the entire site was not tested for chemical contamination prior to construction of the existing buildings, residual agricultural chemicals associated with previous land uses could be present in soils on the site and could pose a hazard to the future users of the site.

Mitigation and Avoidance: General Plan Policies and Programmed Mitigation Measures are described below that would reduce potential hazardous materials impacts to a less than significant level:

- *Hazardous Materials Policy #1* states that the City should require proper storage and disposal of hazardous materials to prevent leakage, potential explosions, fires, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal.

- *Hazardous Materials Policy #3* states that the City should incorporate soil and groundwater contamination analysis within the environmental review process for development proposals. When contamination is present on a site, the City should report this information to the appropriate agencies that regulate the cleanup of toxic contamination.

- *Soil and Geologic Conditions Policy #9* states that residential development proposed on property formerly used for agricultural or heavy industrial uses should incorporate adequate mitigation/remediation for soils contamination as recommended through the Development Review process.

- *Water Resources Policy #8* states that the City should establish non-point source pollution control measures and programs to adequately control the discharge of pollutants into the City's storm sewers.

Programmed Mitigation Measures

Based on existing laws and regulations, the following mitigation measures would be incorporated during project level review of future development to further minimize hazardous materials impacts:

- *AB 2185 and AB 3777* contain requirements for emergency response plans. The purpose of these plans is to assist local agencies in preparing for a hazardous materials spill. Emergency plans identify the potential for accidents in a community, define a chain of command in the event of an emergency, outline escape routes if necessary, and provide other emergency procedures. Each responsible agency maintains detailed operational procedures for responses to hazardous materials problems.

- All demolition activities would be undertaken according to OSHA and EPA standards to protect workers, and off-site occupants from exposure to asbestos and lead-based paint. Specific measures include air monitoring during demolition/construction activities, which include existing buildings.

- Building materials classified as hazardous materials would be disposed of in conformance with federal, state, and local laws.

- Cleanup and remediation of the site would be required to meet all federal, state and local regulations.

- Asbestos surveys will be conducted for buildings constructed prior to 1980 as required under national Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. In addition, NESHAP guidelines require that all potentially friable asbestos-containing materials be removed prior to building demolition or renovation that may disturb the materials.

- As appropriate, a lead survey of painted surfaces and soil around buildings built prior to 1978 will be performed prior to demolition. Requirements in the California Code of Regulations will be followed during demolition activities, including employee training, employee air monitoring and dust control. Any debris or soil containing

lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed.

3. Conclusion

Conformance with General Plan Policies and Programmed Mitigation Measures will ensure that development allowed under the proposed General Plan Amendment will not result in significant hazardous materials impacts. **(Less than Significant with Mitigation)**

H. HYDROLOGY AND WATER QUALITY

1. Setting

There are no waterways present on the project site. Coyote Creek is located approximately 110 feet east of the site, across Wool Creek Drive, and the Guadalupe River is located approximately 1.7 miles southwest of the site.

According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (Santa Clara County Panel No. 060337 0255 E, Revised December 16, 1988), the site is located within a 100-year floodplain. The site is not subject to seiche or tsunami.

Storm Water Drainage

The annual average rainfall in San José is approximately 14 inches, although precipitation can vary greatly year-to-year. Ninety-eight percent of annual precipitation is received during the period from October through May. Storm water runoff within the urbanized areas of San José is discharged into local storm drains which, in turn, flow to the creeks and ultimately to the San Francisco Bay to the north.

The project site is located in the Coyote Creek watershed. Storm drainage lines in the area are provided and maintained by the City of San José. There is an existing 18-inch line in Wool Creek Drive, a 42-inch line in Senter Road, and a 60-inch line in Needles Drive.

2. Environmental Checklist and Discussion

HYDROLOGY AND WATER QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒	☐	1
2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐	☐	1
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒	☐	1

HYDROLOGY AND WATER QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?	☐	☒	☐	☐	☐	1
5) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	☐	1
6) Otherwise substantially degrade water quality?	☐	☐	☒	☐	☐	1
7) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☒	☐	☐	☐	9
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐	☐	9
9) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐	☐	9
10) Be subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	☐	1

Discussion:

Hydrology and Flooding

According to the Federal Emergency Management Agency's Flood Insurance Rate Maps, the site is located within the 100-year floodplain of Coyote Creek. The City enforces its own flood protection ordinance, which requires that all new development be protected from the 100-year flood. Future development proposed for the site will be evaluated for its potential to increase localized flooding and to ensure that project design includes protection of all habitable spaces from the 100-year flood.

Storm Water Drainage

Development under the proposed land use designation would result in more building development than presently exists and would result in an incremental increase in impervious surfaces over the existing condition. Storm water runoff would, therefore, increase proportionately. The project is not anticipated to exceed the capacity of downstream drainage facilities.

Future development on the site would be drained to the City of San José storm sewer system. On-site drainage facilities would be designed to meet City of San José standards. It is not anticipated that runoff from the site would exceed the capacity of the city's storm water drainage system.

Water Quality

The project site is located within the Coyote Creek drainage basin, which ultimately discharges into the San Francisco Bay. While development allowed by the proposed General Plan Amendment may increase the area of impervious surface, it will also include measures required by City policies and ordinances to reduce and avoid water quality impacts.

When development is proposed, the developer will be required to utilize structural and non-structural control measures and management practices to minimize the addition of pollutants to the storm water system. Measures may include: 1) the use of infiltration of runoff on-site; 2) first flush diversion; 3) flow attenuation by use of open vegetated swales and natural depressions; 4) storm water retention or detention structures; 5) the use of porous pavement; or 6) a combination of these practices. While future redevelopment of the site may incrementally increase the quantity of runoff, conformance with the City's current NPDES permit and C.3 Provisions requirements and standards could reduce the amount of non-point source pollution overall from the site.

Future construction activities would generate dust, sediment, litter, oil, paint, and other pollutants that could contaminate runoff from the site.

Impact: Construction activities could cause temporary water quality impacts.

Mitigation and Avoidance: Implementation of the following General Plan Polices and Programmed Mitigation Measures will reduce hydrologic impacts of the proposed project to a less than significant level.

- *Community Development, Residential Land Use, Policy # 5* states that residential development should be allowed in areas with identified hazards to human habitation only if these hazards are adequately mitigated.

- *Water Resources Policy #8* encourages the City to establish policies, programs and guidelines to adequately control the discharge of urban runoff and other pollutants into the City's storm drains.

- *Water Resources Policy #9* states the City should take a pro-active role in the implementation of the Santa Clara Valley Runoff Pollution Prevention Program.

- *Water Resources Policy #10* states that the City should encourage a more efficient use of water by promoting water techniques and the use of water-saving devices.

- *Flooding Policy #1* requires new development to provide flood protection (on-site and downstream) from the 100-year flood.

- *Flooding Policy #6* states that the City should support State and Federal legislation which provides funding for the construction of flood control improvements in urbanized areas.

- *Flooding Policy #7* states that the City should require new urban development to provide adequate flood control retention facilities.

- *Bay and Baylands Policy #5* states the City should continue to participate in the Santa Clara Valley Non-Point Source Pollution Control Program and take other necessary actions to formulate and meet regional water quality standards which are implemented through the National Pollution Discharge Elimination System Permits and other measures.

Programmed Mitigation Measures

The following mitigation measures will be incorporated into the project during project level review:

- The project will comply with the City of San José's Grading Ordinance, including erosion and dust control during site preparation, and with the City of San José's Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction. The following specific measures will be implemented to prevent storm water pollution and minimize potential sedimentation during construction:

  - Restricting grading to the dry season;
  - Using silt fencing to retain sediment on the project site;
  - Providing temporary cover of disturbed surfaces to help control erosion during construction;
  - Providing permanent cover to stabilize the disturbed surfaces after construction has been completed.

- The project will include post-construction structural controls where feasible, and Best Management Practices (BMPs) for reducing contamination in storm water runoff as permanent features of the project.

- The Regional Water Quality Control Board (RWQCB) oversees the National Pollutant Discharge Elimination System (NPDES) general permits for storm water discharges for construction/development projects greater than one acre in size. At the time of construction, the project will be required to submit a Notice of Intent (NOI) to comply with the NPDES General Construction Permit and a Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB 30 days prior to any construction on the site. The SWPPP must specifically address mitigation for both the construction and post construction periods. The SWPPP would include erosion and sediment control measures, waste disposal controls, post construction sediment, maintenance responsibilities, and non-storm water management controls.

- All future construction will be required to conform to the City of San José's Flood Hazard Ordinance, which requires that habitable structures be elevated above the 100-year flood level.

3. Conclusion

Implementation of the above identified General Plan Policies and Programmed Mitigation Measures will ensure that impacts from the future development of the site are avoided or reduced to a less than significant level. **(Less than Significant with Mitigation)**

I. LAND USE

1. Setting

The project is located on the southeast corner of Needles Drive and Senter Road in central San José. Currently, the majority of the project site is developed with industrial/office uses, while the eastern portion is vacant. There are two existing office buildings and associated parking and landscaping on the developed portion of the site.

Land uses within the surrounding area include industrial and commercial uses to the west, northwest, and southwest. High density residential uses are located to the north and northwest of the project site. High density residential uses will be located on the adjacent property to the south of the project site. Coyote Creek and a City of San José tot lot/ playground are located to the east of the site, across Wool Creek Drive. Horse boarding, public park/open space uses, and Yerba Buena High School are located to the east and northeast of the site on the eastern side of Coyote Creek.

2. Environmental Checklist and Discussion

LAND USE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Physically divide an established community?	☐	☐	☐	☒	☐	1,2
2) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐	☐	1,2,4
3) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	☐	1

Discussion: The proposed General Plan change would not physically divide an established community.

The proposed change in General Plan land use designation from *Industrial Park with a Mixed Industrial Overlay* to *High Density Residential (25-50 dwelling units per acre)* would allow high density residential uses on the site in an area with both industrial and high density residential uses. The residential uses allowed under the proposed General Plan Amendment would be generally similar in character with the surrounding existing and planned residential uses. Future development will be required to conform to specific parking, landscaping, and building setbacks.

Impacts: Introducing a residential population into an established industrial area may result in complaints about noise, odors, use of hazardous materials, and other byproducts of industrial operations. Therefore, the proposed project could result in future limitations being imposed on the nearby industrial land uses. The proposed project may result in potential land use incompatibility impacts associated with allowing high density residential uses to be constructed on the project site, when compared to the existing office/industrial uses.

The proposed project would result in temporary construction-related air quality and noise impacts associated with the project. General Plan Policies and Programmed Mitigation Measures will be included as part of the project at the time specific development is proposed, as described in the Air Quality and Noise sections of this report, to reduce these impacts to a less than significant level.

Mitigation and Avoidance:

Implementation of the following General Plan Policies will reduce land use impacts to a less than significant level:

- *Residential Land Use Policy #2* states residential neighborhoods should be protected from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment. In particular, non-residential uses which generate significant amounts of traffic should be located only where they can take primary access from an arterial street.

- *Residential Land Use Policy #5* states that residential development should be allowed in areas with identified hazards to human habitation only if these hazards are adequately mitigated.

- *Residential Land Use Policy #9* states when changes in residential densities are proposed, the City should consider such factors as neighborhood character and identity, compatibility of land uses and impacts on livability, impacts on services and facilities, including school, to the extent permitted by law, accessibility to transit facilities, and impacts on traffic levels on both neighborhood streets and major thoroughfares.

- *Urban Design Policy #1* states that the City should continue to apply strong architectural and site design controls on all types of development to ensure the proper transition between areas with different types of land uses.

- *Urban Design Policy #4* states residential developments which are adjacent to parks or open spaces should be encouraged to provide direct access to, and common open space contiguous to, such areas.

- *Urban Design Policy #10* states the maximum building heights set forth are intended to address urban design considerations only. Other factors, such as compatibility with nearby land uses, may result in more restrictive height limitations. Building height, including all elements of a building whether occupied space or building features, should not exceed 50 feet.

- *Urban Design Policy #18* states to the extent feasible, sound attenuation for development along city streets should be accomplished through the use of

landscaping, setbacks, and building design rather than the use of sound attenuation walls. Where sound attenuation walls are deemed necessary, landscaping and an aesthetically pleasing design shall be used to minimize visual impact.

- *Urban Design Policy #22* states that design guidelines adopted by the City Council should be followed in the design of development projects.

3. Conclusion

Adherence to existing General Plan Policies and to the City's adopted Residential Design Guidelines would reduce potential conflicts between high density residential land uses and nearby industrial land uses, to a less than significant level. **(Less than Significant Impact with Mitigation)**

J. MINERAL RESOURCES

1. Setting

The project site is located within a developed urban area. It does not contain any known or designated mineral resources.

2. Environmental Checklist and Discussion

MINERAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	☐	1,2
2) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	☐	1,2

3. Conclusion

The project would not result in a significant impact to known mineral resources. **(No Impact)**

K. NOISE

The following discussion is based upon a Noise Assessment prepared by Illingworth & Rodkin, Inc. in March 2004 for the property located immediately to the south of the project site (Appendix B). Noise measurements were recorded along the southern boundary of the project site, as shown on Figure 7. Since the properties are contiguous, the report for the neighboring property can be used for this Initial Study analysis.

Noise is measured in "decibels" (dB) which is a numerical expression of sound levels on a logarithmic scale. A noise level that is ten dB higher than another noise level has ten times as much sound energy and is perceived as being twice as loud. Sounds less than 5 dB are just barely audible and then only in absence of other sounds. Intense sounds of 140 dB are so loud that they are painful and can cause damage with only a brief exposure. These extremes are not commonplace in our normal working and living environments. An "A-weighted decibel" (dBA) filters out some of the low and high pitches which are not as audible to the human ear. Thus, noise impact analyses commonly use the dBA.

Since excessive noise levels can adversely affect human activities (such as conversation, sleeping and human health), Federal, State, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. The noise guidelines are almost always expressed using one of several noise averaging methods such as **Leq** and **Ldn**.[4] Using one of these descriptors is a way for a location's overall noise exposure to be measured, realizing of course that there are specific moments when noise levels are higher (e.g., when a jet is taking off from Mineta San José International Airport or a leafblower is operating) and specific moments when noise levels are lower (e.g., during lulls in traffic flows or in the middle of the night). For this report the **Ldn** will be used as it is consistent with the guidelines of the City of San José.

Applicable Noise Standards and Policies

The City of San José's General Plan contains policies and goals which pertain to desired noise levels for various land uses located within the City. The General Plan cites long-term and short-term exterior Ldn goals for residential uses of 55 dBA and 60 dBA, respectively. For new commercial and new residential land uses, where the Ldn at a given location is above 60 dBA, an acoustical analysis is required to determine the amount of attenuation necessary to achieve an interior Ldn of 45 dBA or less. Outdoor uses on sites where the Ldn is above 60 dBA should be limited to acoustically protected areas.

The General Plan also distinguishes between noise from transportation sources and noise from non-transportation (i.e., stationary) sources. The short-term exterior noise goal is 60 dBA Ldn for transportation sources. For stationary sources, the exterior noise goal is 55 dBA Ldn at the property line between sensitive residential land uses and non-residential land uses.

1. Existing Noise Environment

The project site is located in an area of San José with a mix of uses including residential, office, commercial, and industrial. The noise environment at the project site results primarily from vehicular traffic along the roadway network and aircraft over-flights.

[4] **Leq** stands for the Noise Equivalent Level and is a measurement of the average energy level intensity of noise over a given period of time such as the noisiest hour. **Ldn** stands for Day-Night-Level and is a 24-hour average of noise levels, with 10-dB penalties applied to noise occurring between 10 p.m. and 7 a.m.

A noise monitoring survey was completed in February 2004 to quantify the existing noise environment in the project vicinity. One long-term noise measurement and one short-term measurement were taken along the southern boundary of the project site, as shown on Figure 7.

The long-term noise measurement (LT-1) documented traffic noise levels generated on Senter Road. The Ldn generated on Senter Road was 70 dBA. The short-term noise measurement was taken on the south side of the property at the end of Wool Creek Drive. The measured Leq was 54 dBA and when combined with the maximum noise generated by jet over-flights (60 dBA), the estimated Ldn is 56 dBA.

2. Environmental Checklist and Discussion

NOISE						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project result in:						
1) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐	☐	2
2) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒	☐	1,2
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒	☐	2
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐	2
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐	1,2
6) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐	1,2

Discussion: The proposed residential uses on the site would be subject to noise primarily from traffic on Senter Road and Wool Creek Drive. Future noise levels in the project area

Figure 7, Noise Measurement locations

are expected to reach exterior noise levels of 70 dBA Ldn and 58 dBA Ldn on Wool Creek Drive. Future development on the site with residential units facing Senter Road would be exposed to noise levels above the City's Ldn goal for residential uses. The project site is located outside of the 65 dBA CNEL (Ldn equivalent) noise contour established by the Santa Clara County Airport Land Use Commission (ALUC) for San José International Airport.

Construction noise associated with future development of the site would temporarily increase noise levels at adjacent land uses. The proposed project does not involve construction and any noise associated with future construction on the site would be mitigated to a less than significant level with implementation of standard construction techniques.

Mitigation and Avoidance: All future development on the project site would be subject to General Plan Policies, including the following:

- *Noise Policy #1* states that the City's acceptable noise levels are 45 DNL as the interior noise quality level, and 76 DNL as the maximum exterior noise level necessary to avoid significant adverse health effects. These objectives are established for the City, recognizing that the attainment of exterior noise quality levels in the environs of the San José International Airport will probably not be achieved in the time frame of the General Plan. To achieve the noise objectives, the City should require appropriate site and building design, building construction, and noise attenuation techniques in new development.

- *Noise Policy #9* states that construction operations should use noise suppression devices and techniques.

- *Noise Policy #12* states that noise studies should be required for land use proposals where known or suspected peak event noise sources occur which may impact adjacent existing or planned land uses.

- *Urban Design Policy #18* states that to the extent feasible, sound attenuation for development along city streets should be accomplished through the use of landscaping, setbacks, and building design rather than the use of sound attenuation walls.

State Law

All new development would be subject to existing law, including the following:

- *Title 24*: Multi-family housing proposed on any site is subject to the requirements of Title 24, Part 2, of the State Building Code. Because noise levels exceed 60 dB Ldn on the project site, an analysis detailing the treatments incorporated into the building plans shall be prepared and submitted to the City Building Department prior to issuance of a building permit. The report shall demonstrate that the design would achieve an interior Ldn of 45 dBA or less in all habitable residential areas.

Programmed Mitigation Measures

Implementation of Programmed Mitigation Measures, including the following, in conformance with the City's Noise Ordinance, will further reduce construction noise impacts to a less than significant level:

- Limit all construction-related activities to weekdays between 7:00 a.m. and 7:00 p.m.
- Require that all construction equipment is properly muffled and maintained.
- Designate a "disturbance coordinator" to respond to any local complaints about construction noise.
- Locate stationary noise generating equipment as far as possible from sensitive receptors.

3. Conclusion

The proposed project would not result in the exposure of future residents to significant long-term noise impacts. Construction impacts would be reduced to a less than significant level with implementation of the mitigation measures described above. **(Less Than Significant Impact with Mitigation)**

L. POPULATION AND HOUSING

1. Setting

According to the Association of Bay Area Governments (ABAG) *Projections 2003: Forecasts for the San Francisco Bay Area to the Year 2025*, within the City of San José's Sphere of Influence, the population for 2000 was 941,998 with 291,370 households. For 2025, the projected population is 1,270,700 with 397,010 households. The City of San José currently provides more housing than jobs and there is a jobs/housing imbalance compared to neighboring communities in northern Santa Clara County.

There is an existing shortage of available housing in Santa Clara County, particularly for affordable housing. This shortage is reflected in low vacancy rates, rising rents, and the congestion associated with commuting from outside the County. The redesignation of urban land for higher residential densities will permit the construction of more residential units than is currently allowed in San José. To the extent that these units are occupied by people who move to Santa Clara County from outside the County, this is new growth. To the extent that these units are occupied by people who are sharing dwelling units or who are commuting to Santa Clara County from elsewhere, they may not be considered economic or population growth as defined by CEQA.

2. Environmental Checklist and Discussion

POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	☐	1,2
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☐	1
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☐	1

Discussion: The proposed General Plan Amendment land use designation of *High Density Residential (25-50 dwelling units per acre)* would allow for the construction of up to 310 residential units on the 6.2-acre site. Construction of these units would provide housing for up to approximately 1,008 persons.

Development of the project site in conformance with the proposed land use designation would result in additional residential units and population within the project area. The change proposed to the General Plan would not allow new development where development

is not already allowed and would not substantially increase the need for urban infrastructure. The project itself explicitly allows more dwelling units within San José than are planned for in the existing General Plan, but these additional units are the direct result and goal of the proposed project, not induced or indirect growth.

As discussed above, changing the land use designation on the site from *Industrial Park with a Mixed Industrial Overlay* to *High Density Residential*, would not: 1) induce growth in an area where urbanization is not already planned, 2) create a precedent for growth outside the existing urban envelope, or 3) create a significant demand for new infrastructure in an area where urban infrastructure does not already exist.

The proposed General Plan Amendment would not directly displace housing or people. Redevelopment of the project site could replace the industrial uses on the site with up to 310 new dwelling units. This would not represent displacement of a substantial number of people or require construction of replacement housing elsewhere.

3. Conclusion

The proposed General Plan Amendment would not result in significant adverse impacts to the housing supply or population. **(Less Than Significant Impact)**

M. PUBLIC SERVICES

1. Setting

Fire Service

Fire protection to the project site is provided by the San José Fire Department, which serves a total area of 203 square miles. The San José Fire Department (SJFD) responds to all fires, hazardous materials spills, and medical emergencies (including injury accidents) in the project area. It is the San José Fire Department's goal to not exceed four minutes for the "first response" and six minutes for the "second response" times.

The closest fire station to the site is Station No. 26, located at 528 Tully Road, approximately 0.85 miles from the site. In the 2002-2003 fiscal year, this station responded to 3,031 calls including 2,446 medical, 173 fire, and 412 other emergencies.

Police Service

Police protection services are provided to the project site by the City of San José Police Department (SJPD). Officers patrolling the project area are dispatched from police headquarters, located at 201 West Mission Street.

The SJPD consists of 83 beats assigned to one of 16 Districts. The beats are identified with a number and the Districts are identified with a letter. The project site is located in District L, Beat 3 of the SJPD's service area. In 2003, District L, Beat 3 had 1,166 crimes, with auto burglary, auto theft, and non-injury traffic accidents being the most frequent events.

Schools

The project site is located within the Franklin-McKinley School District and the East Side Union High School District. The closest schools are George Shirakawa Elementary School, which is for grades kindergarten through eighth (0.38 miles southeast of the site) and Yerba Buena High School (0.42 miles northeast of the site).

Parks

The project site is located in Council District 7, which has seven neighborhood parks. The nearest park to the project site is Rock Spring Playground at the intersection of Needles Drive and Rock Spring Drive, which is located east across Wool Creek Drive from the project site. The closest regional park to the project site is Kelley Park, which is approximately 1,000 feet northeast of the site adjacent to Phelan Avenue.

Library

The project site is served by the San José Public Library System which consists of one main library and 17 branch libraries. The closest branch to the project site is the Biblioteca Latinoamericana, approximately 1.86 miles northwest of the site. The site would also be served by the newly reopened Dr. Martin Luther King Jr. Main Library in downtown San José.

2. Environmental Checklist and Discussion

PUBLIC SERVICES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project: 1) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:						
Fire Protection?	☐	☐	☒	☐	☐	1,2
Police Protection?	☐	☐	☒	☐	☐	1,2
Schools?	☐	☐	☒	☐	☐	1,2
Parks?	☐	☐	☒	☐	☐	1,2
Other Public Facilities?	☐	☐	☒	☐	☐	1,2

Discussion: The proposed project would not increase the urban area protected by the City's Fire and Police forces, especially since approximately five acres of the 6.2 acre site is currently developed with industrial/office uses. Future development allowed under the proposed General Plan Amendment would be constructed in conformance with current fire and building codes, including features that would reduce potential fire hazards. The project design would also be reviewed by the City of San José Police Department to ensure that it incorporates appropriate safety features to minimize criminal activity.

The project site is located within the Franklin-McKinley School District and East Side Union High School District. Development on this site under the proposed land use designation is not anticipated to require construction of a new school. New development would be subject to a payment of school impact fees to offset the incremental increase in student generation resulting from future residential development of the site. The City of San José has adopted the Parkland Dedication Ordinance (PDO) (Chapter 19.38) and Parkland Impact Ordinance (PIO) requiring residential developers to dedicate public parkland or pay in-lieu fees, or both, to offset the demand for neighborhood parkland created by their housing developments. Each new residential project is required to conform to the PDO and PIO.

The project would incrementally increase demand for libraries in the project area, however, it is not anticipated that the proposed General Plan Amendment would trigger the need to construct a new library.

3. Conclusion

The project could incrementally increase demand for fire and police services at the project site but would not increase the urban area protected by the City's Fire and Police forces. The project would not result in substantial adverse physical impacts associated with a need for new facilities in order to maintain acceptable levels of service or performance objectives for public services. **(Less than Significant Impact)**

N. RECREATION

1. Setting

The City of San José currently manages 3,500 acres of regional and neighborhood parkland. The City provides developed park lands, open space, and community facilities to serve its residents. Some of these facilities are supplemented by other public uses such as public school playgrounds and fields, County parks, and trail facilities on Santa Clara Valley Water District lands. Park and recreation facilities vary in size, use, type of service, and provide for neighborhood, citywide, and regional uses. The City Departments of Parks, Recreation and Neighborhood Services, General Services, and Public Works are responsible for the design, construction, operation, and maintenance of all City park and recreational facilities.

The project site is located in Council District 7, which has seven neighborhood parks. The nearest park to the project site is Rock Spring tot lot/playground at the intersection of Needles Drive and Rock Spring Drive, which is located east across Wool Creek Drive from the project site. The closest regional park to the project site is Kelley Park, which is approximately 1,000 feet north of the site adjacent to Phelan Avenue.

2. Environmental Checklist and Discussion

RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐	☐	1,2
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	☐	1,2

Discussion: The City's General Plan has established level of service benchmarks for parks and community centers. The City has a service level goal of 3.5 acres neighborhood and community serving parkland per 1,000 residents, of which a minimum of 1.5 acres is City-owned and up to two acres of school playground/fields, all of which should be located within three-quarters of a mile walking distance of each residence. In addition, the City seeks to provide 7.5 acres of regionally serving parkland and 500 square feet of community center space per 1,000 residents.

Future residents of the site may use recreational facilities in the area, but are unlikely to cause significant physical deterioration to the facilities.

General Plan Policies

Development on the project site would be subject to existing General Plan policies, including the following policies for avoiding physical impacts associated with the development of new parks:

- *Parks and Recreation Policy #16* states the City should facilitate the creation and improvement of neighborhood and community parks by using the Parkland Dedication Ordinance, the Parallel Impact Fee Ordinance, and the Construction and Conveyance Tax.
- *Parks and Recreation Policy #18* states in the planning of future park expenditures, the provision of new park and recreational facilities and improvements in park deficient areas should be considered a top priority.

Programmed Mitigation Measures

- The City of San José has adopted the Parkland Dedication Ordinance (PDO) (Chapter 19.38) and Park Impact Ordinance (PIO) requiring residential developers to dedicate public parkland or pay in-lieu fees, or both, to offset the demand for neighborhood parkland created by their housing developments. Each new residential project is required to conform to the PDO and PIO. The acreage of parkland required is based upon the Acreage Dedication Formula outlined in the Parkland Dedication Ordinance.[5]

3. Conclusion

The proposed project would not result in any significant impacts on the environment as a result of the use of recreational facilities. **(Less than Significant Impact)**

[5] Minimum Acreage Dedication = (0.003 acres) x (number of dwelling units) x (average persons per household).

O. TRANSPORTATION

The following discussion is based upon a traffic analysis prepared by *Hexagon Transportation Consultants, Inc.,* which is included in Appendix C of this Initial Study.

1. Setting

Existing Roadway Network

The existing roadway network serving the study area includes regional facilities, such as freeways and highways, as well as local roadways such as arterials, collectors, and local streets. Regional and local access to the project site is provided by way of the streets described below.

Regional Access

US 101 is a north-south freeway with six mixed-flow lanes and two high-occupancy-vehicle (HOV) lanes in the vicinity of the GPA site. The HOV lanes terminate south of Bernal Road in south San José. Full interchanges are located at Tully Road and Senter Road.

Interstate 280 (I-280) is a north-south freeway that extends from San Francisco to San José and varies in width between six and eight lanes. I-280 is oriented in an east-west direction and is eight lanes wide in the vicinity of the site. I-280 has full interchanges at Tenth and Eleventh Streets and a partial interchange at McLaughlin Avenue.

State Route 87 (SR 87) is a four-lane freeway that is aligned in a north-south orientation. SR 87 begins at its interchange with SR 85 and extends northward, terminating at its junction with US 101. SR 87 was recently upgraded to a grade-separated freeway between Julian Street and US 101. The upgrade includes new full interchanges at Taylor Street and Skyport Boulevard. Additional future SR 87 improvements include adding two HOV lanes south of Julian Street.

Monterey Road (SR 82) is a state highway that is a north-south, six-lane arterial in the vicinity of the site. It extends from Gilroy in the south to central San José in the north, where SR 82 ultimately becomes El Camino Real, extending north to San Francisco.

Local Access

Tully Road is an east-west arterial street extending from Monterey Road to Ruby Avenue in east San José. It is six lanes wide in the vicinity of the project site and Tully Road provides access to the site via Senter Road.

Story Road is an east-west arterial that begins to the east of White Road and extends westward changing designation to Keyes Street near Kelley Park. Story Road has a full access interchange with US 101. East of Capitol Expressway, Story Road transitions between a two-lane and a four-lane roadway. West of Capitol Expressway, Story Road is a six-lane arterial with a median. Story Road provides access to the project site via Senter Road.

24th Street is a two-lane, north-south roadway that begins at Julian Street and runs south to William Court, at which point it transitions into McLaughlin Avenue. McLaughlin extends southward, terminating at Hellyer Park south of Yerba Buena Road.
Senter Road is a north-south arterial that runs from Story Road south to Monterey Road. Senter Road is a six-lane roadway between Story Road and Umbarger Road, narrows to four lanes south of Umbarger Road, and narrows again to two lanes south of Sylvandale Avenue. Senter Road provides direct access to the project site.

Tenth Street is a north-south, three-lane arterial that runs from I-880 south to Tully Road. Tenth Street is one-way in the southbound direction between Hedding Street and Humboldt Street.

Transit System

Existing transit service to the project area is provided by the Valley Transportation Authority (VTA) and Caltrain. The existing bus and rail services are described below.

Line 25 provides service between the Alum Rock Transit Center and De Anza College, with 10- to 30-minute headways during commute hours. Line 25 operates along Willow Street, Keyes Street and Story Road near the project site.

Line 66 provides service between Santa Teresa Hospital and Milpitas, with 15-minute headways during commute hours. Line 66 operates along Monterey Road near the project site.

Line 68 provides service between Gilroy/Gavilan College and San José Diridon Station, with 15-minute headways during commute hours. Line 68 operates along Monterey Road near the project site.

Line 72 provides service between the Santa Teresa Light Rail Transit (LRT) station and downtown San José, with 15- to 30-minute headways during commute hours. The 72 line operates along McLaughlin Avenue near the project site.

Line 73 provides service between Snell/Capitol Expressway and downtown San José, with 15-minute headways during commute hours. The 73 line operates along Senter Road adjacent to the project site.

Line 82 provides service between Westgate Mall and Hedding Street/17th Street, with 30-minute headways during commute hours. The 82 line operates along Minnesota Street, Alma Street, and 7th Street near the site.

304 and 305 limited stop lines provide service between south San José and downtown Mountain View, with 15- to 30-minute headways and 60-minute headways, respectively, during commute hours. These limited stop lines operate along Monterey Road near the site.

Light Rail Transit and Caltrain

The VTA currently operates the 30.5-mile LRT line system extending from south San José through downtown to the northern areas of San José, Santa Clara, Mountain View, and Sunnyvale. Service operates 24-hours, every 15 minutes during much of the day. The Curtner and Tamien LRT stations both are located approximately 1.5 miles from the site.

Commuter rail service between San Francisco and Gilroy is provided by Caltrain. The Tamien Caltrain Station is located approximately 1.5 miles from the site. Caltrain provides service with approximately 20- to 30-minute headways during commute hours.

Bicycle and Pedestrian Facilities

Existing bike lanes are located within the project vicinity and the potential for future bike lanes exists along the many roadway segments. Sidewalks are located along streets throughout the project area and on both sides of Needles Drive and Senter Road. Crosswalks and a traffic signal are also located at the intersection of these two streets.

Existing and Background Intersection Levels of Service

Intersection level of service (LOS) calculations were obtained form the City of San José and are included in Appendix B of the traffic report. Measured against the City's LOS standards, the signalized intersection of Senter Road and Capitol Expressway currently operates at an unacceptable LOS E during the PM peak hour. This intersection is located approximately two miles south of the project site.

Background conditions represent traffic conditions that would occur after all approved projects are completed and producing traffic on the street system. For the background condition, the same intersection (Senter Road and Capitol Expressway) would continue to operate at LOS E during the PM peak hour. All other major intersections would operate at an acceptable LOS D or better under background conditions.

Existing Freeway Levels of Service

Traffic volumes on freeway segments in the vicinity of the project site were obtained from the Santa Clara County Congestion Management Program 2020 Monitoring & Conformance Report (April 2003). Eighteen of the twenty-six directional freeway segments in the vicinity of the site currently operate at an unacceptable LOS F during at least one of the peak hours of traffic. These results are shown in Table 1 of Appendix C.

2. Environmental Checklist and Discussion

TRANSPORTATION/TRAFFIC						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project: 1) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)?	☐	☐	☒	☐	☐	1,2

TRANSPORTATION/TRAFFIC						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
2) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	☐	1,2
3) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	☐	1,2
4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☐	☒	☐	1,2
5) Result in inadequate emergency access?	☐	☐	☐	☒	☐	1,2
6) Result in inadequate parking capacity?	☐	☐	☐	☒	☐	1,2
7) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒	☐	1,2

Discussion: Transportation impacts for General Plan Amendments and updates of the General Plan are evaluated using San José's subregional computer traffic model called TRANPLAN. This computer traffic model provides projections of future traffic circulation on the future upgraded and improved roadway system, taking into account the traffic from future development planned for in the General Plan. The TRANPLAN traffic model is used to evaluate the overall impacts to the roadway transportation system and also to examine how well transportation corridors will perform in the future. The fundamental structure of the model includes a representation of the street system (highway network) that defines street segments (links) identified by end points. Each roadway link is further represented by key characteristics that describe the length, travel speeds, and vehicular capacity of the roadway segment.

The determination of significance is based on the extent to which the proposed change contributes to existing peak-hour congestion in the vicinity of the proposed General Plan Amendment. For this analysis, the addition of peak direction trips are determined on the congested links (LOS E or F) within approximately a two mile radius, measured from all boundaries of the project site. Congested links are grouped in sets and are generally major, parallel facilities. The links are grouped in this manner to account for trip reassignment by the computer model. The traffic impact from the proposed amendment will be significant if:

- The peak direction volume on nearby LOS E/F links increases by 1.5 percent or more over the average volume of those congested links.

In the project area, the principal directionality of traffic is southbound in the PM peak hour, due to the predominance of employment in north San José and the predominance of housing south of the site. The proposed use would generate residential trips and, thus, would attract primary trips from employment zones north of the site. Therefore, the project would produce a more balanced directionality than is typical for employment based areas.

Impacts: Two sets of roadway links operate at LOS E/F for the adopted General Plan base case. The proposed General Plan Amendment would not cause the peak direction volume to increase by 1.5 percent or more on any of the link sets, as shown in Table 2 of Appendix C. Therefore, based on impact criteria for the LOS E/F link analysis, the increases in volumes on these links as a result of the proposed project does not constitute a significant adverse traffic impact.

Mitigation and Avoidance: Implementation of the General Plan Policies and Programmed Mitigation Measures presented below will avoid or further reduce transportation impacts:

- *Services and Facilities Level of Service Policy #5* requires that the minimum overall performance of city streets during peak travel periods should be level of service "D". To meet that goal, the policy states that:
  - Development proposals should be reviewed for their measurable impacts on the level of service and should be required to provide appropriate mitigation measures if they have the potential to reduce the LOS to D or worse.
  - To strengthen the neighborhood preservation strategy and objections of the General Plan, the City Council may adopt a Council Policy which establishes alternate mitigation measures for projects whose required traffic mitigation would result in a substantial adverse impact on an affected neighborhood.
  - An "Area Development Policy" may be adopted by the City Council to establish special traffic level of service standards for a specific geographic area which determines development impacts and mitigation.

- *Transportation Policy #1 (Thoroughfares)* states that inter-neighborhood movement of people and goods should occur on thoroughfares and is discouraged on neighborhood streets.

- *Transportation Policy #3 (Thoroughfares)* states that public street right-of-way dedication and improvements should be required as development occurs. Ultimate thoroughfare right-of-way should be no less than the dimensions as shown on the Land Use/Transportation Diagram except when a lesser right-of-way will avoid significant social, neighborhood, or environmental impacts and perform the same traffic movement function.

- *Transportation Policy #8 (Thoroughfares)* states that vehicular, bicycle, and pedestrian safety should be an important factor in the design of streets and roadways.

- *Transportation Policy #9 (Impacts on Local Neighborhoods)* states that neighborhood streets should be designed to discourage through traffic and unsafe speeds. If neighborhood streets are used for through traffic or if they are traveled at unsafe speeds, law enforcement and traffic operations techniques should be employed to mitigate these conditions.

- *Transportation Policy #11 (Transit Facilities)* states that the City should cooperate with transportation agencies to achieve the following objectives for the County's public transit system:
  - Provide all segments of the City's population, including the handicapped, elderly, youth, and economically disadvantaged, with adequate access to public transit. Public transit should be designed to be an attractive, convenient, dependable, and safe alternative to the automobile.
  - Enhance transit service in major commute corridors, and provide convenient transfers between public transit systems and other modes of travel.

- *Transportation Policy #16 (Pedestrian Facilities)* states that pedestrian travel should be encouraged as a viable mode of movement between high density residential and commercial areas throughout the City and in activity areas such as schools, parks, transit stations, and in urban areas, particularly the Downtown Core Area and neighborhood business districts by providing safe and convenient pedestrian facilities.

- *Transportation Policy #41 (Bicycling)* states that the City should develop a safe, direct, and well-maintained transportation bicycle network linking residences, employment centers, schools, parks, and transit facilities and should promote bicycling as an alternative mode of transportation for commuting as well as for recreation.

- *Transportation Policy #42 (Bicycling)* states that bike lanes are considered generally appropriate on arterial and major collector streets. Right-of-way requirements for bike lanes should be considered in conjunction with planning the major thoroughfares network and in implementing street improvement projects.

- *Transportation Policy #43 (Bicycling)* states that priority improvements to the Transportation Bicycle Network should include:
  - Bike routes linking light rail stations to nearby neighborhoods.
  - Bike paths along designated trails and pathways corridors.
  - Bike paths linking residential areas to major employment centers.

Programmed Mitigation Measures

At the time a specific development is proposed for the project site, a Transportation Impact Analysis (TIA) will be prepared according to the requirements of the City of San José's Department of Transportation to identify any current condition deficiencies that would need to be mitigated to meet level of service policies. In accordance with the City's level of service policy, any impacts would then have to be mitigated before the project could be approved. Improvements to existing intersections could be required, including signal re-timing/improvements, lane widenings and/or restriping, and the addition of left or right-turn lanes.

3. Conclusion

The proposed General Plan Amendment would result in a less than significant transportation impacts. **(Less than Significant Impact)**

P. UTILITIES AND SERVICE SYSTEMS

1. Setting

Water service to the site is supplied by the San José Water Company. There is an existing 10-inch water line in Wool Creek Drive, a 12-inch line in Senter Road, and a 25-inch line in Needles Drive. Natural gas and electric service are provided to the site by Pacific Gas and Electric.

Sanitary sewer lines are owned and maintained by the City of San José. There is an existing 24-inch sanitary sewer line in Senter Road. Storm drainage lines in the area are also provided and maintained by the City of San José. There is an existing 18-inch line in Wool Creek Drive, a 42-inch line in Senter Road, and a 60-inch line in Needles Drive.

Residential solid waste and recycling collection services in the area of the site are provided by Norcal Waste Systems of San José. Residential waste is disposed at the Newby Island Sanitary Landfill.

2. Environmental Checklist and Discussion

UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐	☐	1,2
2) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	☐	1,2
3) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	☐	1,2
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒	☐	1,2

UTILITIES AND SERVICE SYSTEMS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
5) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	☐	1,2
6) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	☐	1,2
7) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒	☐	1,2

Discussion:

Water Supply

Implementation of the existing General Plan, with or without the additional 310 residential units represented by the proposed General Plan Amendment, will increase the demands upon water supply resulting from the development of adopted and proposed land uses and supporting facilities. Future demand will be met through water conservation programs as well as supplemental imported water supplies during future droughts. The Santa Clara Valley Water District (SCVWD) has also updated its water supply master plan in order to determine potential future water deficiencies and examine options for meeting these deficiencies, including the addition of local storage capacity for imported water supplies and wastewater reclamation. Development of residential uses on the project site will incrementally increase demand for water but will not substantially increase demand beyond what is anticipated for in the City's existing General Plan.

Sanitary Sewer

Growth associated with the development allowed by the proposed General Plan Amendment on the project site would increase the demand on the sanitary sewer services provided by the City of San José. The dwelling units that could be developed on site as a result of the proposed General Plan Amendment would generate approximately 74,400[6] gallons per day (gpd) of sewage which would have to be transported and treated.

[6] Assumes waste generation at a rate of 240 gallons per dwelling unit, per day for up to 310 dwelling units. Andrew Turner, San José Department of Public Works, City of San José, personal communication, 8/13/03.

Storm Drainage

Development of residential uses on the site would result in a mix of paved and landscaped surfaces similar to those currently existing on the site. Development of up to fifty dwelling units per acre on the site may result in additional impervious surfaces that could incrementally increase the amount of runoff from the site. Runoff is not anticipated to exceed the capacity of the City's storm drainage system.

Solid Waste

Implementation of the proposed General Plan Amendment would generate an increase in solid waste associated with future growth. Implementation of the proposed General Plan Amendment would result in residential solid waste generation of approximately 11,098 pounds per week and recyclables generation of 1,426 pounds per week for 310 new residences.[7]

The generation of solid waste resulting from future growth would continue to be minimized through implementation of the City Recycle Plus! Integrated Waste Management Program, which includes the following services:

- Curbside collection of residential recyclables from multi-family developments, including aluminum, glass, tin, mixed paper, mixed plastic bottles, waste oil, and small scrap;
- Collection of bulky goods from residences, city corporation yards, and city-sponsored neighborhood clean-up events for potential reuse and recycling;
- Processing and marketing of recyclables at materials recovery facilities; and community relations/education programs.

Electricity and Natural Gas

Facilities for providing electrical and natural gas services are built and maintained by the private utilities which provide these services under their franchise agreements with the State of California. New and expanded facilities are paid for from capital funds financed by fees paid by users. All of the utility providers monitor growth patterns and plans of the urban jurisdictions in Santa Clara County, including the City of San José.

Impact: The project would not result in significant impacts to utilities and services.

Mitigation and Avoidance: The following policies apply to all new development to ensure that appropriate infrastructure is built to serve future development.

- *Services and Facilities Level of Service Goal #2* provides for achieving the following level of service for City services:
  - For sanitary sewers, level of service "D";
  - For sewage treatment, to remain within the capacity of the Water Pollution Control Plant;
  - For storm drainage, to minimize flooding on public streets and to minimize property damage from storm water.

[7] Multi-family garbage = 35.8 lbs./unit/week and multi-family recycling = 4.6 lbs./unit/week. "Re: Waste Generation Rates," e-mail to City of San José, Jeff Anderson, 8/13/03.

- *Level of Service Policy #2* states that the existing community should not be burdened by service demands of new development. Capital and facility needs generated by new development should be financed by new development.

- *Sanitary Sewer System Level of Service Policy #6* states that the minimum performance standard for sanitary lines should be level of service "D", defined as restricted sewage flow during peak flow conditions. Development which will have the potential to reduce the downstream level of service to worse than "D", or development which would be served by downstream lines already operating at a level of service worse than "D", should be required to provide mitigation measures to improve the level of service to "D" or better. Small infill projects may be exempted from sewer mitigation requirements.

- *Sewage Treatment Level of Service Policy #7* states that the City should monitor and regulate growth so that the cumulative sewage treatment demand of all development can be accommodated by the City of San José's share of the treatment capacity of the San José/Santa Clara Water Pollution Control Plant.

- *Sewage Treatment Level of Service Policy #9* encourages water conservation programs which result in reduced demand for sewage treatment capacity.

- *Storm Drainage and Flood Control Level of Service Policy #12* states that new projects should be designed to minimize potential damage due to storm waters and flooding to the site and other properties.

- *Water Resources Policy #2* states water resources should be utilized in a manner which does not deplete the supply of surface or groundwater, and efforts to conserve and reclaim water supplies, both local and imported, should be encouraged.

- *Water Resources Policy #10* encourages more efficient use of water by promoting water conservation techniques and the use of water saving devices.

- *Water Resources Policy #11* encourages maximizing the use of reclaimed water for construction, maintenance and irrigation, and encourages its use elsewhere, as appropriate.

Programmed Mitigation Measures

NPDES Permits

Conformance of future development on the site with required municipal and general construction NPDES permits will include measures to control pollutants discharged to the storm water system. Future development will be evaluated for appropriate "best management practices" including, but not limited to, the following:

- Storm water retention or detention structures;
- Minimization of impervious surfaces;
- On-site parking lots/street sweeping;
- Routine storm drain cleaning.

3. Conclusion

Implementation of these General Plan Polices and Programmed Mitigation Measures will ensure that any impacts resulting from the proposed project would be less than significant. **(Less than Significant Impact)**

Q. MANDATORY FINDINGS OF SIGNIFICANCE						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐	☐	1
2) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐	☐	1
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐	☐	1
4) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☒	☐	☐	1

Discussion: While the proposed project site is currently developed with industrial uses, the proposed General Plan Amendment would allow for the replacement of those uses with up to 310 high density residential units. This change in land use on the site would not significantly degrade the quality of the environment. The addition of high density residential uses would contribute incrementally to impacts associated with residential urban development, including an increased need for services such as parks and schools. The proposed project would be generally consistent with the surrounding land uses and would not generate a significant amount of new noise or air pollution. Since high density residential uses exist or are planned for the project area, the project would not result in significant land use impacts to or from surrounding industrial land uses.

The proposed redevelopment of the site would not result in significant long-term or cumulative impacts with the implementation of General Plan Policies and Programmed Mitigation Measures described in this report. The proposed project would not result in the achievement of short-term goals to the disadvantage of long-term environmental goals.

Conclusion: The proposed project would not result in unavoidable or unmitigated impacts.

Checklist Sources

1. CEQA Guidelines - Environmental Thresholds (Professional judgment and expertise and review of project plans).

2. 2020 General Plan, City of San José.

3. City of San José Zoning Ordinance.

4. City of San José Residential Design Guidelines, 1997.

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12. Holman Associates, Archaeological Consultants. *Mechanical Subsurface Presence Absence Testing,* March 22, 2004, and Archaeological Literature Review, June 21, 2002.

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